

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 21 2005

Attn: Office of Petitions

**Request for Reconsideration of Petition for Unavailable Inventors for the  
RF Multiple Load Cell Scale  
Patent Application No 09/912,009**

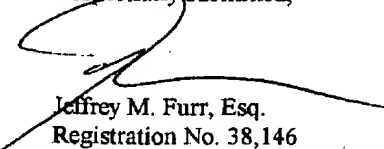
In re application of: )  
Frye and Huitt )  
Serial Number: 09/912,009 )  
Filed: 07/24/2001 )  
For: RF Multiple Load Cell Scale )  
Petitions Attorney Steven Brantly ) Columbus, Ohio )

Steven Brantly, Esq.  
Mail Stop Petition  
Commissioner of Patents  
Washington, D.C. 22313-1450

Dear Mr. Brantly:

In response to the Decision Refusing to Accord Status under 37 CFR 1.47(a) mailed 2004. November 23, attached are the documents needed to address your concerns with the above Application, Number 09/912,009. I have attached a Declaration with the appropriate signatures for inventor Bruce Huitt. I appreciate all the assistance that you have provided me on this issue.

Respectfully submitted,

  
Jeffrey M. Furr, Esq.  
Registration No. 38,146

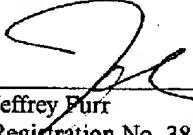
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Request for Reconsideration of Petition for Unavailable Inventors for the  
RF Multiple Load Cell Scale  
Patent Application No 09/912,009**

In response to the correspondence of November 23, 2004, I, as a duly representative of Mettler-Toledo Corporation, party of interest, hereby declare:

I have Mr. Huitt's signature on the Declaration to take care of the issues in November 23, 2004's correspondence.

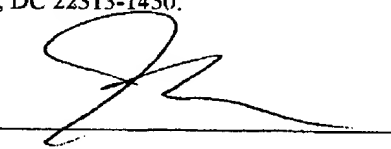
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed at Johnstown, Ohio, this 21st day of January, 2005

  
\_\_\_\_\_  
Jeffrey Furr  
Registration No. 38,146  
255 N. Main Street  
Johnstown, Ohio 43031

I hereby certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Mail Stop Petitions, COMMISSIONER FOR PATENTS, WASHINGTON, DC 22313-1450."

January 21, 2005

  
\_\_\_\_\_  
Jeffrey M. Furr, Esq.  
Registration No. 38,146

I hereby certify I have transmitted this paper by fax to the Patent and Trademark Office at 703-872-9306 on January 21, 2005.

January 21, 2005

  
\_\_\_\_\_  
Jeffrey M. Furr, Esq, Reg. No. 38,146

JAN 21 2005

PTO/SB/01 (08-33)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

38,181

First Named Inventor

Hitt

COMPLETE IF KNOWN

Application Number

09/912,009

Filing Date

7/25/2001

Art Unit

Examiner Name

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

R.F. Truck Scale

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

07/25/2001

as United States Application Number or PCT International

Application Number

09/912,009

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (08-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <b>29569</b> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Bruce Eldridge</b>		Family Name or Surname <b>Huitt</b>	
Inventor's Signature <b>R. Eldridge</b>		Date <b>1/17/05</b>	
Residence: City <b>Suwanee</b>	State <b>GA</b>	Country <b>USA</b>	Citizenship <b>USA</b>
Mailing Address <b>3830 Summit Gate Drive</b>			
City <b>Suwanee</b>	State <b>GA</b>	ZIP <b>30024</b>	Country <b>USA</b>
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country
<input type="checkbox"/> Additional Inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

[Page 2 of 2]